



FORM GC-210 INSTRUCTIONS

PETITION FOR APPOINTMENT OF A GUARDIAN (GC-210)

Tips for completing
Court forms,
[Click here](#)

Filling out the Caption on your form

The top of the form has 6 boxes.

Fill out the caption boxes as follows:

- ① Attorney or Party without Attorney - if you do not have an attorney, fill in your name, address, and telephone number.

“Attorney For (Name)” – If you do not have an attorney, write “In Pro Per” (which means that you are representing yourself).
- ② “SUPERIOR COURT OF CALIFORNIA, COUNTY OF” – write the name of the County where you are filing your case. [Click here for location of courts.](#)
- ③ “Guardianship of (Name)” - write in the full name of the [minor](#) (child).
- ④ Check the box “Minor” if there is only one child, or “Minors” if there are two or more children. Check “[Person](#)” if it has to do with caring for the child, or “[Estate](#)” if it means caring for the child’s money or other property.
- ⑤ “For Court Use Only” – Leave blank.
- ⑥ “Case Number” – Leave blank.

Petition For Appointment of a Guardian

This is one of the most important forms in the guardianship process. It tells the court the basic information about your court case.

1. “Petitioner (name):” Fill in your name, and the address and telephone number where you live now.
 - a. If this will be a [guardianship of the person](#), fill in the name, address, and telephone number for the [proposed guardian](#) (skip if estate only).
 - b. If this will be a [guardianship of the estate](#), fill in the name, address, and telephone number of the proposed guardian (skip if person only).
 - c. Check this box if there is more than 1 child (all of the children you name must be related to each other). If there is more than 1 child, use a separate page that you will label “Attachment 1c” to answer questions #2 through #11 on this form for each additional child. (For example: if there are three children, you will answer questions #2 through #11 for both the second and third child on “Attachment 1c”.)

- d. If this will be a guardianship of person, check the boxes for: “[Bond](#) not required” and “for the reasons stated in Attachment 1d”. Then, attach a separate page that you will label “Attachment 1d”. Write the following sentence on that page: “*Bond is not required pursuant to Probate Code section 2322 because petitioner is requesting guardianship of the person only.*”

If this will be a guardianship of the estate, then you will need a bond unless (1) both living parents want you to be the guardian and agree to [waive](#) bond, or (2) that you do not need a bond. (See Probate Code section 2324.)

- e. Skip if this will be a guardianship of the person only.
- f. Skip if this will be a guardianship of the estate only.

Check this box if the proposed guardian plans to move the child out of state, or might insist that the child get non-emergency medical treatment after the child turns 14—even if he or she does not want it. Explain what you are asking for and why on a separate page that you will label “Attachment 1f”.

Note: If you check this box, you may need to talk with an attorney about your situation.

- g. Check this box if you could not find one or more of the [people who are supposed to know about this court case](#). (If you check this box, you must list all the ways you tried to reach these people on a separate page that you will label “Attachment 15 - Declaration of Due Diligence”.)
- h. Skip this unless you have other issues that you want the judge to address in a court order.

2. Write the child’s name, and the address and telephone number where he or she lives now. Check the box for “unmarried” if the child is not married.
3. Write the month, day, and year that the child was born.
4. Check only one box:
- i) Check “a” if you are related to the child (then explain relationship);
 - ii) Check “b” if the child is seeking this guardianship on his or her own;
 - iii) Check “c” if you are not related to child. Write how you know the child. For example, you might be a family friend.
5. Check only one box:

- i) Check “a” if either of the child’s parents say, in writing, that they want you to be the guardian. Attach a copy of what the child’s parent has written, or a *Nomination and Waiver of Notice* that the parent has signed. You must label any page that you attach for this question “Attachment 5”;
 - ii) Check “b” if you are the child’s relative. Write what your relationship is (such as aunt, uncle, grandparent, or other relative);
 - iii) Check “c” if you are not related to the child. Write how you know the child. For example, you might be a family friend.
6. a. Write in the name and address of the person who has "legal custody" of the child. This is usually a parent or someone else who is listed in a court order.
- b. Write the name and address of the person who is caring for the child now if that person is different than the one who has “legal custody” (different than the person you listed in question 6a. above).
7. a. *Note: If the child is a patient in a state mental health or developmental service institution, you may need to talk to an attorney.*
- b. Children of disabled/deceased (dead) veterans are eligible for Veteran’s Administration benefits.
- c. *If the child is of Native American ancestry you may need an attorney.*

At the top of page 2, GC-210

The top of the form has 2 boxes.

The image shows the top portion of a legal form titled 'GUARDIANSHIP OF (NAME)'. A red oval highlights the top section, which contains two boxes. Box 1 is labeled '1' and is for the 'GUARDIANSHIP OF (NAME)'. Box 2 is labeled '2' and is for the 'CASE NUMBER'. Below these boxes are various sections of the form, including 'Petitioner', 'Character and estimated value of property of the estate', and 'Appointment of a guardian of the person or estate'. The form is numbered 1 through 16.

Fill out the caption boxes as follows:

- ① “Check the box “[Guardianship](#)” - and write in the child’s full name.
- ② “**Case Number**” – Leave blank

8. List the type and amount of benefits that the child is receiving (or that a care-taker is receiving on the child’s behalf) on a separate page that you will label “Attachment 8”. Include the name of the county or government agency paying the benefits.

9. List any other court proceedings (including the case name, case number, and a short description of the case) that might affect the child (such as adoption, juvenile court, family court, divorce, custody, or other legal proceedings) on a separate page that you will label "Attachment 9". Include copies of any related court papers. If you find out later about other court proceedings, you must add that information to this form within ten (10) days.
10. If the guardian is also filing to adopt the child, the case will be transferred to family court.
11. Leave blank (or see attorney).
12. Skip if guardianship for person only.
13. Check the right box ("person" and/or "estate"). Explain why you should become the child's guardian on a separate page that you will label "Attachment 13". Check the last box if you think that the child might be in danger if leaving custody of the child with the parent would be dangerous to the child.
14. Skip if guardianship for person only.
15. Check if Item #1g is checked, otherwise skip. (This box is only checked if you cannot find [people who should be notified of this court case](#).) Remember to attach a separate page that you will label "*Attachment 15-Declaration of Due Diligence*" listing the ways you tried to get in touch with these people.
16. Skip if this is only a guardianship of the estate, if you are related to the child, or the parent's wish to have you be the guardian is written down.
17. Check boxes for all the forms that you are filing with the [petition](#).
18. List the names and addresses for the child's: father, mother, grandparents, adult brothers or sisters, aunts, and uncles. If you need more space, attach a separate page that you will label "Attachment 18".
19. Count all the pages that you will attach to this form. Write that number here.

Write the date that you finish working on this form. Each petitioner must print his or her name on the dotted line at the bottom of the page, and sign on the solid line on the right side of the page. **Remember that when you sign this form, you are promising "under [penalty of perjury](#)" that what you write on this form and on the attached pages is true and correct**